

## FORMALITIES LETTER



\*OC00000005203199\*

UNITED STATES DEPARTMENT OF  
COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/536,820	03/27/2000	Hong-Jiang Zhang	MCS-101-99

Richard T Lyon  
Lyon Harr & DeFrank LLP  
300 Esplanade Drive  
Suite 800

Oxnard, CA 93030

Adjustment date: 09/21/2005 SDIRETA1  
04/29/2005 JBALINAN 00000004 09536820  
02 FC:1999 -110.00 OPRECEIVED  
CENTRAL FAX CENTER

APR 28 2005

Date Mailed: 06/27/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

Refund Ref:  
09/21/2005

0030025633

Credit Card Refund Total: \$150.00

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$552.
  - \$396 for 22 total claims over 20.
  - \$156 for 2 independent claims over 3.
- The oath or declaration is missing.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1372.

A copy of this notice **MUST** be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/29/2005 JBALINAN 00000030 09536820

01 FC:1051	130.00 OP
02 FC:1202	1100.00 OP
03 FC:1622	142.00 OP

1 of 1

PAGE 615 \* RCVD AT 4/28/2005 4:58:31 PM [Eastern Daylight Time] \* SVR:USPTO-EFXXF-14 \* DNS:878005 \* CSID:8052788064 \* DURATION (mm:ss):04:30

Adjustment date: 09/21/2005 SDIRETA1  
04/29/2005 JBALINAN 00000030 09536820  
01 FC:1051 -130.00 OP  
02 FC:1202 -1100.00 OP  
03 FC:1622 -142.00 OP

BEST AVAILABLE COPY

Refund Ref:  
09/21/2005

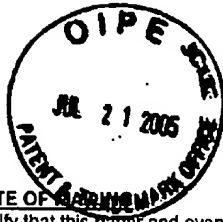
\$1372.00

Credit Card Refund Total

VISA.....: XXXXXXXXXX80

6/26/2005 10:00 PM

Adjustment date: 09/21/2005 SDIRETA1  
04/29/2005 JBALINAN 00000030 09536820  
01 FC:1051 -40.00 OPAdjustment date: 09/21/2005 SDIRETA1  
04/29/2005 JBALINAN 00000004 09536820  
02 FC:1999 -110.00 OP



*Depd Ref*

**CERTIFICATE OF MAILING**  
I hereby certify that this paper and every paper or fee referred to therein as being enclosed is being placed in First Class Mail addressed to the Commissioner for Patents, Attn: Office of Finance, Receipts Accounting Division, P.O. Box 1450, Alexandria, VA 22313-1450, as of today.

*[Signature]*  
Richard T. Lyon

Date: *7-18-05*

PATENT

2005 JUL 21

US PATENT & TRADEMARK  
OFFICE

PATENT  
Microsoft Docket No. 140726.02  
L&H No. MCS-101-99

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of  
Huang et al.

: Group Art Unit: 2623  
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Entitled: POSE-INVARIANT FACE  
RECOGNITION SYSTEM AND  
PROCESS

: Examiner: V. M. Kibler  
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Serial No.: 09/536,820

Filing Date: March 27, 2000

**REQUEST FOR REFUND OF DUPLICATE CREDIT CARD CHARGES**

Hon. Commissioner for Patents  
Attn: Office of Finance, Receipts Accounting Division  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On April 29, 2005 the applicants were charged \$1,372.00 and \$150.00 on a National City Visa credit card, as evidence by the attached copy of a June 2005 statement. Upon inquiry to the Office of Finance at the USPTO the undersigned was informed that these charges related to the subject application. However, these amounts are not owed in this case.

**BEST AVAILABLE COPY**

PAGE 1

The applicants believe the charges stem from a copy of a missing parts response that was faxed to the Examiner in this case per his request. Evidently, the Examiner discovered after allowing the application that one of the pages of the declaration filed with the missing parts response on 9/27/2000 was missing. He called the undersigned's Office and was informed that the complete declaration was filed as evidence by a return receipt postcard acknowledging its receipt. The Examiner then requested that a complete copy of the missing parts response, as filed, be provided to him. This copy included credit card forms for \$1,372.00, \$110.00, and \$40.00 (the latter two of which add up to \$150.00) which were signed in September 2000. Apparently, these copies were processed and the credit card was recharged for the amounts originally paid in October 2000. These original charges are shown in the attached copy of a National City statement from November 2000.

When this matter was discussed with a representative of the Office of Finance at the USPTO, he believed that the April 2005 charges were submitted because the original charges were refunded. He provided the attached "RAM" summary to the undersigned as evidence of this. However, the summary actually shows the original credit card form submissions being charged on 10/05/2000 in the form of \$110.00 and \$40.00 which correspond to the charges of the same amount in the aforementioned November 2000 National City statement; and various charges (i.e., \$690.00, \$156.00, \$130.00 and \$396.00) totaling \$1,372 which corresponds to the charge of the same amount in the November 2000 statement. Subsequently, the RAM summary shows the charges amounting to \$1,372 being refunded on 10/12/2000, but recharged that same day (this time in the amounts of \$710.00, \$160.00, \$396.00 and \$106.00). This refund and recharging does not show up on the National City statement from November 2000, presumably since the net charges for the transactions on 10/12/2000 were \$0. Thus, there was no refund of the originally charged amounts.


The charges shown in the summary on 11/04/2003 (\$770.00), 11/5/2004 (\$110.00) and 1/19/2005 (\$1,400.00) were proper and authorized via credit card payment forms. It is noted that the 1/19/2005 charge was for an Issue fee. However, the subsequent charges shown in the summary for 4/29/2005 were not owed in the subject application, nor properly authorized

PAGE 1  
by the applicants. These charges correspond to the \$1,372.00 and \$150.00 amounts shown on the aforementioned June 2005 National City statement.

In view of the foregoing it is respectfully requested that the amounts of \$1,372.00 and \$150.00 be refunded to the applicants via the National City credit card account at the earliest possible date.

Dated: 7-18-05

LYON & HARR, LLP  
300 Esplanade Drive  
Suite 800  
Oxnard, CA 93036  
(805) 278-8855

Respectfully submitted  
  
Richard T. Lyon  
Reg. No. 37,385  
Attorney for Applicant(s)

1,372.00  
+ 150.00  
\$1,472.00 refund  
amount

# National City

PO BOX 2349 #KA16FS  
KALAMAZOO MI 49003-2349

New Balance \$1,522.00  
Minimum Payment \$38.00  
Due Date 06/15/05  
Account Number 4311 9662 2163 8040

4311966221638040000152200000003800

Total Enclosed \$

Address or Email change? Print new address on back of statement.

By mail, your payment may take 5-7 days to reach us.

PLEASE MAKE CHECK PAYABLE TO:

KATRINA A LYON PATENT & TRADEMARK  
207 VILLAGE RD OFFICE  
PORT HUENEME CA 93041-3030

NATIONAL CITY  
P.O. BOX 856176  
LOUISVILLE, KY 40285-6176



⑈4311⑈ ⑆5000⑈0080⑈ ⑆1966221638040⑈ 001

0-56789  
1-2

*elite*

Elite Visa  
Credit Card Account  
4311 9662 2163 8040

At Your Service: 800-282-7541

NationalCity.com/CardServices  
Make payments, review transactions and more!

Mail payments to: National City  
P.O. BOX 856176, LOUISVILLE, KY 40285-6176

## Account Summary

Previous Balance	\$0.00	Credit Limit	\$20,000.00
Payments/Credits	\$0.00	Available Credit	\$18,478.00
Purchases/Debits	+\$1,522.00	Available for Cash Advance	\$5,000.00
Cash Advances	+\$0.00	Statement Closing Date	05/24/05
Finance Charges	+\$0.00	Payment Due Date	06/15/05
New Balance	= \$1,522.00	Minimum Payment	= \$38.00

## Transactions

TransDate	PostDate	Reference Number	Description	Debits	Credits
04/29	04/29	24301283R1FMWKON8V	US PATENT/TRADEMARK OF 703-3085068 VA	150.00	
04/29	04/29	24301283R1FMWKEW5V	US PATENT/TRADEMARK OF 703-3085068 VA	1,372.00	

## Finance Charge Summary

	Corresponding Annual Percentage Rate (APR)	Daily Periodic Rate (may vary)	X Days in Billing Period	X	Avg. Daily Balance Subject to Finance Charge	=	Finance Charge for This Period
Purchases							
Previous Cycle Purchases	9.90%	.02712%	x 31	x	\$0.00	=	\$0.00
Current Cycle Purchases	9.90%	.02712%	x 29	x	\$0.00	=	\$0.00
Cash Advances							
Cash Advances	9.90%	.02712%	x 29	x	\$0.00	=	\$0.00
Annual Percentage Rate = 9.90%							Total Finance Charge
							\$0.00

6/2/05  
308-5068  
~~571-277-5500~~

**NationalCity**



**PLATINUM CARD SUMMARY**

PO BOX 2349 #KA16K5  
KALAMAZOO MI 49003-2349

New Balance	Minimum Payment	Due Date
13,011.00	326.00	11/21/00

Address change? Place an "X" in the box below.  
Print new address on back of statement.

☐

5624/5600

Account number 4311 9662 2163 8040

Amount Enclosed \$ 205.00

US PATENT & TRADEMARK  
OFFICE

PLEASE MAKE CHECK PAYABLE TO:

NATIONAL CITY  
P.O. BOX 856440  
LOUISVILLE, KY 40285-6440

KATRINA A LYON  
207 VILLAGE RD  
PORT HUENEME CA 93041-3030

4133

|||||

|||||

4311966221638040001301100000032600

**NationalCity**

Account number 4311 9662 2163 8040  
Credit Limit \$20,000.00  
Available Credit \$6,135.00  
Available for Cash Advance \$6,135.00  
Days in Billing Cycle 29  
Statement Closing Date 10/25/00

**ACCOUNT SUMMARY**

Previous Balance	\$2,134.00
Payments/Credits	\$2,134.00
Purchases/Debits	\$13,011.00
Cash Advances	\$0.00
Finance Charges	\$0.00
Other Charges	\$0.00
New Balance	\$13,011.00

**TRANSACTIONS**

Tran Date	Post Date	Reference Number	Description	Amount
09/26	09/27	2430128M002H22E3LV	US PATENT/TRADEMARK OF WASHINGTON DC	638.00
09/27	09/27	2430128M002H22KLTV	US PATENT/TRADEMARK OF WASHINGTON DC	110.00
09/29	09/29	2430128M202HM28QYV	US PATENT/TRADEMARK OF WASHINGTON DC	40.00
10/04	10/04	2430128M802KE9ANFV	US PATENT/TRADEMARK OF WASHINGTON DC	2,211.00
10/05	10/05	2430128M902KPSFW7V	US PATENT/TRADEMARK OF WASHINGTON DC	2,271.00
10/05	10/05	2430128M902KPSF1DV	US PATENT/TRADEMARK OF WASHINGTON DC	110.00
10/05	10/05	2430128M902KPSF25V	US PATENT/TRADEMARK OF WASHINGTON DC	1,372.00
10/05	10/05	2430128M902KPSF8XV	US PATENT/TRADEMARK OF WASHINGTON DC	40.00
10/13	10/13	2430128ML02P0RNRV	US PATENT/TRADEMARK OF WASHINGTON DC	98.00
10/18	10/18	2430128MM02PA9XZAV	US PATENT/TRADEMARK OF WASHINGTON DC	2,371.00
10/20	10/20	2430128MS02RTYFBZV	US PATENT/TRADEMARK OF WASHINGTON DC	1,240.00
10/20	10/20	2430128MS02RTYFB5V	US PATENT/TRADEMARK OF WASHINGTON DC	1,240.00
10/20	10/20	2430128MS02RTYF9WV	US PATENT/TRADEMARK OF WASHINGTON DC	1,270.00
10/23	10/23	7443600MTSMBHW5FV	PAYMENT*THANK YOU KALAMAZOO MI	2,134.00CR

**FINANCE CHARGES SUMMARY**

TRANSACTION TYPE	DAILY PERIODIC RATE*	CORRESPONDING ANNUAL PERCENTAGE RATE	FINANCE CHARGE	AVERAGE DAILY BALANCE
Purchases	.02712%	9.90%	\$0.00	\$0.00
Cash Advances	.05767%	21.05%	\$0.00	\$0.00

ANNUAL PERCENTAGE RATE: 21.05%

\*THIS RATE MAY VARY

CUSTOMER SERVICE Call: 1-800-282-7541 or Write to: K-A16-F5, ONE NCC PKWY, KALAMAZOO MI 49009

Notice: See reverse side for important information on your account and its renewal.

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Page 1 of 1

5624 9600 G990 0002

001025 8040 01A95170 4133

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Please acknowledge receipt of the following:  
Response To Notice To File Missing Parts Of Application (2 pages)  
& Credit Card Payment Form (1 page)  
Copy of Notice to File Missing Parts of Application Filing  
Date Granted (1 page)  
Two Declarations and Powers of Attorney (4 pages each)  
Assignment Recordation Cover Sheet (3 pages), Two Executed  
Assignments (3 pages each) & Credit Card Payment Form (1 page)  
Petition For Extension Of Time Under 37 CFR 1.136(a) (1 page)  
& Credit Card Payment Form (1 page)  
Return Receipt Postcard

Applicant: Huang et al.  
Serial No.: 09/536,820  
Filed: March 27, 2000

Patent Office  
MAY 2 2000  
PATENT & TRADEMARK OFFICE

**TITLE: ROSE-INVARIANT FACE RECOGNITION SYSTEM  
AND PROCESS**

Docket No.: MS 140726.2 (MCS-101-99)  
Mailed: September 27, 2000



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APR 28 2005

THE LAW OFFICES OF  
**LYON & HARR**  
A LIMITED LIABILITY PARTNERSHIP300 ESPLANADE DRIVE, SUITE 800  
OXNARD, CALIFORNIA 93036INTELLECTUAL PROPERTY LAW INCLUDING PATENTS,  
TRADEMARKS, COPYRIGHTS AND RELATED MATTERSTELEPHONE: (805) 278-8855  
FACSIMILE: (805) 278-8064  
EMAIL: Mail@CuttingEdgePatents.com

# Fax Cover Sheet

To: EXAMINER DASTOURI

From: Katrina Lyon

Fax: 703-872-9306

Pages: 25 +Cover

Re: PRINTER RUSH  
09/535,820

Date: April 29, 2005

☒ Urgent☐ For Review☐ Please Comment☐ Please Reply**Comments:**

Dear Examiner Dastouri,

As we discussed, I am faxing you the entire requested declaration package and return receipt postcard. Please call if you have any further questions or problems.

Best Regards,

Katrina Lyon

PRINTER RUSH!!

If you have any further questions, please contact me either via facsimile at (805) 278-8064, or telephone at (805) 278-8855.

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APR 29 2005  
01:05 / JWS

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PAGE 1/15 \* RCVD AT 4/28/2005 4:58:31 PM [Eastern Daylight Time] \* SVR:USPTO-EFRRF-1/A \* DMS:8729306 \* CSID:8052788064 \* DURATION (mm:ss):04:30

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I hereby certify that this paper and every paper referred to therein as being enclosed is being placed in First Class Mail addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 as of today.

  
Richard T. Lyon

Date: 9-27-00

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**APR 28 2005**

**PATENT**  
Microsoft Docket No. 140726.2  
LH&D No. MCS-101-99

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Huang et al.

Group Art Unit: 2721

Entitled: POSE-INVARIANT FACE  
RECOGNITION SYSTEM AND  
PROCESS

Examiner: Unknown

Serial No.: 09/536,820

Filing Date: March 27, 2000

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Assistant Commissioner for Patents  
Box Missing Parts  
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts dated June 27, 2000, please find enclosed herewith the following:

1. Copy of Notice to File Missing Parts of Non-Provisional Application (1 page)

**BEST AVAILABLE COPY**

2. Two Executed Declarations and Powers of Attorney (4 pages each)
3. Assignment Recordation Cover Sheet (3 pages), Two Executed Assignments (3 pages each) and a Credit Card Payment Form (1 page)
4. Petition For Extension Of Time Under 37 CFR 1.136(a) (1 page) and Credit Card Payment Form (1 page)
5. Return receipt postcard

A Credit Card Payment Form for the amount of \$1,372.00 to cover the statutory basic filing fee of \$690.00, additional claim fees of \$552.00, and a surcharge under 37 CFR 1.16(e) of \$130.00, is enclosed herewith.


The applicant assumes the application is now in proper order and in condition for examination.

Please direct any inquiries to the undersigned attorney at (805) 278-8855.

Dated: 9-27-00

LYON, HARR & DEFRANK  
300 Esplanade Drive  
Suite 800  
Oxnard, CA 93030  
(805) 278-8855

Respectfully submitted,

  
\_\_\_\_\_  
Richard T. Lyon  
Reg. No. 37,385  
Attorney for Applicant(s)

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